

Minutes of the Malvern City Council

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Held in the City Hall Courtroom

Monday, January 12, 2015

Immediately prior to the City Council meeting, District Judge Sherry Burnett conducted a swearing-in ceremony and issued the Oath of Office for Aldermen William Wilson, Mary Fraction, Lynn B. Davis, J. Wayne Reynolds, Margaret A. (Peggy) Lusinger, Robin Halbert, Larry G. Stiles, David A. Cross, and City Clerk/Treasurer Phyllis Dial.

The Malvern City Council met for its regular monthly meeting on Monday, January 12, 2015 at 7:00 p.m. in the City Hall Courtroom. Mayor Brenda J. Weldon opened the meeting and introduced Rev. Rick McClure of Lifepoint Church who led the invocation and pledge of allegiance. Present for the meeting were Council members Mary Fraction, William Wilson, Lynn Davis, J. Wayne Reynolds, Peggy Lusinger, Robin Halbert, Larry Stiles and David Cross. Also present were City Clerk/Treasurer Phyllis Dial and City Attorney Cecilia Ashcraft. Following the roll call, Mayor Weldon declared a quorum present.

A motion was made by Reynolds, seconded by Fraction to adopt the minutes of the previous regular meeting held on December 8, 2014. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Halbert, Stiles, and Cross. All voting for motion carried.

Departmental reports were presented for approval. A motion was made by Halbert, seconded by Fraction to accept departmental reports as mailed. Alderman Cross asked why the cost for "parts" noted on the Banks Street repair on page 3 of the Water Report was so much higher than the others. David Coston, Water Works Manager, noted that it was because they were replacing a fire hydrant. Cross also asked Chief Taber of the police department if Sgt. Frazier Ford was still acting as the code officer and noted that there didn't seem to be many violations noted in Ward 2. Chief Taber replied that he is still acting as the code officer and that he is not going ward by ward, but concentrating on the areas with the most problems right now. He noted that progress has been made since one officer has been designated in charge of code violations. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Halbert, Stiles, and Cross. All voting for motion carried.

Under old business, Alderman Stiles introduced an ordinance setting the salaries for elected officials for the term beginning January 1, 2015 for its second reading by title only. City Clerk Dial read the ordinance for its second reading by title only. A motion was made by Reynolds, seconded by Stiles to suspend the rules and place the ordinance on its third and final reading by title only. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Halbert, Stiles, and Cross. All voting for motion carried and the Clerk read the ordinance for its third and final reading by title only. A motion was made by Reynolds, seconded by Stiles to adopt the ordinance. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Halbert, Stiles, and Cross. All voting for motion carried and the ordinance was adopted and assigned No. 2015-01. A motion was made by Stiles, seconded by Lusinger to adopt the emergency clause of the ordinance. Voting for the motion were Aldermen Fraction, Wilson, Davis,

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Reynolds, Lusinger, Halbert, Stiles, and Cross. All voting for motion carried and the emergency clause was adopted.

ORDINANCE NO. 2015-01

AN ORDINANCE SETTING THE INDIVIDUAL SALARIES OF ELECTED OFFICIALS OF THE CITY OF MALVERN: AND DECLARING AN EMERGENCY

Alderman Fraction introduced the ordinance adopting the 2015 City of Malvern budget. The Clerk read the ordinance for its first reading. A motion was made by Reynolds, seconded by Fraction to suspend the rules and place the ordinance on its second reading by title only. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Halbert, Stiles, and Cross. All voting for motion carried and the ordinance was read for its second reading by title only. A motion was made by Reynolds, seconded by Fraction to suspend the rules and place the ordinance on its third and final reading by title only. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Halbert, Stiles, and Cross. All voting for motion carried and the ordinance was read for the third and final reading by title only. A motion was made by Stiles, seconded by Fraction to adopt the ordinance. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Halbert, Stiles, and Cross. All voting for motion carried and the ordinance was adopted and assigned No. 2015-02. A motion was made by Fraction, seconded by Stiles to adopt the emergency clause of the ordinance. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Halbert, Stiles, and Cross. All voting for motion carried and the emergency clause was adopted.

ORDINANCE NO. 2015-02

AN ORDINANCE PROVIDING FOR THE APPROPRIATION OF FUNDS FOR THE OPERATION OF THE CITY OF MALVERN, ARKANSAS PROVIDING FOR THE BUDGET FOR THE YEAR 2015, DECLARING AN EMERGENCY

Alderman Lusinger introduced an ordinance adopting the 2015 Water and Sewer Department Budget for its first reading. The clerk read the ordinance for its first reading. A motion was made by Reynolds, seconded by Stiles to suspend the rules and place the ordinance on its second reading by title only. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Halbert, Stiles, and Cross. All voting for motion carried and the Clerk read the ordinance for its second reading by title only. A motion was made by Reynolds, seconded by Lusinger to suspend the rules and place the ordinance on its third and final reading by title only. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Halbert, Stiles, and Cross. All voting for motion carried and the ordinance was heard for the third and final reading by title only. A motion was made by Stiles, seconded by Reynolds to adopt the ordinance. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger,

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Halbert, Stiles, and Cross. All voting for motion carried and the ordinance was declared adopted and assigned No. 2015-03. A motion was made by Reynolds, seconded by Stiles to adopt the emergency clause of the ordinance. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Halbert, Stiles, and Cross. All voting for motion carried and the emergency clause was declared adopted.

ORDINANCE NO. 2015-03

AN ORDINANCE PROVIDING FOR THE APROPRIATION OF FUNDS FOR THE OPERATION OF THE CITY OF MALVERN, ARKANSAS, WATER AND SEWER DEPARTMENT, PROVIDING FOR THE BUDGET FOR THE YEAR 2015, DECLARING AN EMERGENCY

Under new business, Alderman Stiles introduced for its first reading an ordinance waiving competitive bidding for the purchase of the city's vehicle, property, and health insurance. The Clerk read the ordinance for its first reading. A motion was made by Alderman Reynolds, seconded by Fraction to suspend the rules and place the ordinance on its second reading by title only. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Halbert, Stiles, and Cross. All voting for motion carried and the ordinance was heard for its second reading by title only. A motion was made by Reynolds, seconded by Stiles to suspend the rules and place the ordinance on its third and final reading by title only. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Halbert, Stiles, and Cross. All voting for motion carried and the Clerk read the ordinance for its third and final reading by title only. A motion was made by Reynolds, seconded by Stiles to adopt the ordinance. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Halbert, Stiles, and Cross. All voting for motion carried and the ordinance was declared adopted and assigned No. 2015-04. A motion was made by Stiles, seconded by Reynolds to adopt the emergency clause of the ordinance. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Halbert, Stiles, and Cross. All voting for motion carried and the emergency clause was declared adopted.

ORDINANCE NO. 2015-04

AN ORDINANCE WAIVING THE REQUIREMENTS OF COMPETITIVE BIDDING FOR THE PURCHASE OF THE CITY'S VEHICLE, PROPERTY, AND HEALTH INSURANCE

Alderman Reynolds introduced for its first reading an ordinance amending Ordinance 08-11 and abolishing 04-24 providing controls for the owning and care of animals in the City of Malvern. The Clerk read the ordinance for its first reading. The ordinance will be heard for the second reading at the February meeting of the City Council.

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Alderman Halbert introduced a resolution accepting the donation of property located at 115 E. Highland to the City of Malvern Police Department. The Clerk read the resolution. A motion was made by Reynolds, seconded by Fraction to adopt the resolution. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Halbert, Stiles, and Cross. All voting for motion carried and the resolution was declared adopted and assigned No. 01-2015.

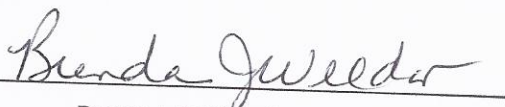
ORDINANCE NO 01-2015


A RESOLUTION ACCEPTING THE DONATION OF 115 EAST HIGHLAND AVENUE TO THE CITY BY THE COOPER FAMILY TRUST B SHARE AND AUTHORIZING THE COOPER FAMILY TRUST B SHARE TO ISSUE A DEED TO THE CITY FOR SAID PROPERTY

Mayor Weldon advised that she has had an extremely busy first week and a half in office that she has enjoyed very much. She distributed a list of City Council committees to the council members and thanked everyone for their support.

Alderman Reynolds stated that he noticed the young couple who had spoken to the Agenda and Finance Committee were present at the meeting and advised them to get with David Coston from the Water Department to hopefully alleviate some of their problem.

There being no further business, and upon a motion by Reynolds, seconded by Fraction, Mayor Weldon declared the meeting adjourned.


Brenda J. Weldon, Mayor


Phyllis Dial, City Clerk/Treasurer